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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.   | CONFIRMATION NO. |
|---|-------------|----------------------|-----------------------|------------------|
| 09/665,919  | 09/20/2000  | Venkatachari Dilip   | CE1-002US             | 8530             |
| 29150   | 7590        | 11/30/2006           | EXAMINER              |                  |
| LEE & HAYES, PLLC<br>421 W. RIVERSIDE AVE, STE 500<br>SPOKANE, WA 99201 |             |                      | WEISBERGER, RICHARD C |                  |
|   |             |                      | ART UNIT              | PAPER NUMBER     |
|   |             |                      | 3693                  |                  |

DATE MAILED: 11/30/2006

Please find below and/or attached an Office communication concerning this application or proceeding.



## DETAILED ACTION

### *Election/Restrictions*

This application contains claims directed to the following patentably distinct species:

1. the third-party system holding the funds from the debit transaction in ml intermediate account owned by the third-party system at a third financial institution; and  
  
in a second part of the transaction, the third-party system executing a credit transaction with a second financial institution to deposit the funds in an account at the second financial institution.
2. in a first transaction, a third-party financial management system executing a debit transaction with a first financial institution: comprising withdrawing funds from a first account owned by the user at the first financial institution;  
  
the third-party system holding the funds from the debit transaction ha an intermediate account owned by the third-pan3, system; and  
  
in a second transaction, the third-party system executing a credit transaction with a second financial institution, comprising depositing the funds in a second account owned by the user at the second financial institution.
3. in a first transaction, a third-party financial management system executing a debit transaction with. a first financial institution, comprising withdrawing funds from a fu's; account owned by the user at the first Financial institution;  
  
the third-patty system holding the funds from the debit transaction in an intermediate account owned by the third-patty system; and  
  
in a second transaction, the third-patty system executing a credit transaction

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with a second financial institution, comprising depositing the funds in a second account at the second financial institution, wherein the second account is owned by someone other than the user.

4. a financial management system maintaining customer information for a plurality of customers, the customer information for each of the plurality of customers comprising, customer identification information; and account identification information for each of a plurality of customer accounts at each. of the plurality of financial institutions;

The species are independent or distinct because they have different effects

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable.

Currently, none is generic.

Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which depend from or otherwise require all the limitations of an allowable generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

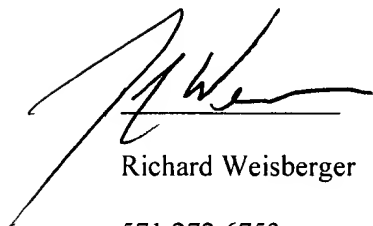
A telephone call was made to request an oral election to the above restriction requirement, but did not result in an election being made.

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Applicant is advised that the reply to this requirement to be complete must include (i) an election of a species or invention to be examined even though the requirement be traversed (37 CFR 1.143) and (ii) identification of the claims encompassing the elected invention.

The election of an invention or species may be made with or without traverse. To reserve a right to petition, the election must be made with traverse. If the reply does not distinctly and specifically point out supposed errors in the restriction requirement, the election shall be treated as an election without traverse.

Should applicant traverse on the ground that the inventions or species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the inventions or species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C.103(a) of the other invention.



Richard Weisberger

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